CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

SEP 2 9 2006
JOHN F. CORCORAN, CLERK

CALVIN HAIRSTON, Plaintiff,)))	Civil Action No. 7:06CV00533 Civil Action No. 7:06CV00533
v.)	
ROBERT LEWIS, <u>et al.</u> , Defendants.))	By: Hon. Jackson L. Kiser Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the above-referenced civil action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim upon which relief may be granted and stricken from the active docket of the court. All pending motions are hereby **DENIED** as **MOOT**.

The Clerk is directed to send certified copies of this Order to the plaintiff and counsel of record for the defendants, if known.

ENTER: This 24 day of September, 2006.

Senior United States District Judge